

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

JUN 10 2015

CHRIS R. JOHNSON, Clerk
By
PLAINTIFFS

GARY LEO GREEN and
LINDA SUE GREEN

v.

CASE NO.: 15-6060

BEAVER EXPRESS SERVICE, LLC,
JOHN DOE 1, JOHN DOE 2, and JOHN 3

DEFENDANTS

DEFENDANT'S NOTICE OF REMOVAL

Defendant Beaver Express Service, LLC ("Beaver Express"), by and through counsel, Deacon Law Firm, P.A., for its Notice of Removal, states:

1. Plaintiffs filed a Complaint in the Circuit Court of Pike County, Arkansas on May 4, 2015.
2. Beaver Express was served with Summons and Complaint on May 18, 2015. Therefore, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b).
3. Plaintiffs are residents of Pike County, Arkansas.
4. Beaver Express is an Oklahoma limited liability company with its principal place of business in Woodward, Oklahoma.
5. Copies of all process and pleadings served on Beaver Express in the state court action are attached hereto as Exhibit 1.
6. Pursuant to 28 U.S.C. § 1441(b)(1), the citizenship of John Doe 1, John Doe 2, and John Doe 3, named as defendants herein, is disregarded in determining whether this action is removable under 28 U.S.C. § 1332(a).
7. Complete diversity exists because Beaver Express is deemed to be a citizen of a state different than the Plaintiffs.

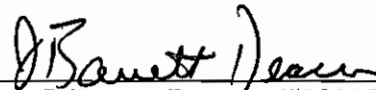
8. Beaver Express denies that Plaintiffs are entitled to relief. Nevertheless, the nature of the Plaintiffs' claims, if successful, would meet the jurisdictional threshold. In addition, Plaintiffs' Complaint asserts damages in an amount in excess of the Federal Court jurisdictional limits in diversity cases. (Ex. 1). Thus, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

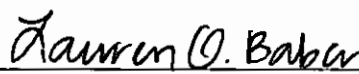
9. This action is removable pursuant to 28 U.S.C. § 1441(a). It is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1332, in that there is complete diversity between all parties, excluding those sued under fictitious names, and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

WHEREFORE, Beaver Express Service, LLC removes the state court action from the Circuit Court of Pike County, Arkansas, to this Court and requests that this Court take jurisdiction of this action to the exclusion of any further proceedings in state court.

Respectfully submitted,

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By 
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By 
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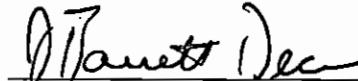
CERTIFICATE OF SERVICE

I hereby certify that service of the above and foregoing was made by mailing a copy of same to:

Winston C. Mathis
The Mathis Law Firm
P.O. Box 399
Arkadelphia, AR 71923

Justin Minton
The Minton Law Firm
Landers Corporate Plaza, Bldg 200
22461 Interstate 30
Bryant, AR 72022

on this 8th day of June, 2015.



J. Barrett Deacon